

# **EXHIBIT “C”**

# **POLICE ATHLETIC LEAGUE OF PHILADELPHIA**



## **EMPLOYMENT POLICIES AND PROCEDURES FOR CIVILIAN EMPLOYEES**

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## **EMPLOYMENT POLICIES AND PROCEDURES FOR CIVILIAN EMPLOYEES**

### **INTRODUCTION**

Welcome to the Police Athletic League (PAL) of Philadelphia. PAL is “Cops Helping Kids.” We aspire to be the premier youth-serving organization in the city, by reducing crime, promoting character development, and improving educational outcomes. We do this by having Philadelphia Police Officers, supported by civilians, offer sports and other programs to youth in 17 centers in some of the city’s highest crime and lowest income neighborhoods. PAL Centers are safe havens, offering a variety of programs and other events to attract, engage, and develop more than 18,000 of Philadelphia’s youth.

PAL is a unique organization that brings together a police and civilian workforce to deliver on its mission. The “Employment Policies and Procedures for Civilian Employees” manual (“Manual”) applies to PAL employees who are not police officers. This Manual was prepared to help you become familiar with PAL’s policies and procedures as it relates to your employment. Please read it carefully. All employees are required to complete and sign the “Acknowledgement of Receipt” attached at the end of this Manual. A copy will be maintained in your personnel file.

The section headings used in this Manual are included solely for convenience and shall not affect or be used in conjunction with the interpretation of this Manual. Where the text requires, words in the singular will be deemed to include the plural and vice versa, and words of any gender will be deemed to include all genders. This Manual supersedes all previous PAL Manuals that may be inconsistent with the policies stated in this Manual.

## **IMPORTANT NOTICE**

Although PAL has tried to be comprehensive, the Manual does not and cannot address every situation that may arise. If you have any questions or concerns, please speak with your supervisor or the Executive Director who should be able to answer most of your questions or direct you to someone who can. This Manual does not constitute a contract, express or implied, nor does it guarantee employment for any specific length of time.

The Human Resources Department (Taron Franklin, Eva Kado-Binder, and Sunny Li) is responsible for developing and implementing personnel policies with the review of PAL's ad-hoc Personnel Committee. The ad-hoc Personnel Committee, chaired by the Treasurer may consist of Legal Counsel, PAL executive staff, and one or more members of the Executive Committee as may be necessary. The policies included in this Manual are guidelines only and are subject to change as the PAL Personnel Committee, in consultation with the Executive Director, deems appropriate and necessary. PAL, in its sole discretion, may modify, alter, delete, suspend, or discontinue any part or parts of the policies, including employee benefits, in this Manual at any time, with or without prior notice to its employees. Unless otherwise specified, any such change to the Manual shall apply to existing as well as future employees. From time to time you may receive notice of new or modified policies, procedures, benefits, or programs.

The information regarding employee benefits contained in this Manual is only a brief summary of the benefits PAL offers its employees. For a full explanation of particular benefits, all employees should consult, where applicable, the specific plan documents themselves. If the benefit summaries contained in this Manual conflict with any statement contained in the formal plan documents, those plan documents supersede anything contained in this Manual.

**A. AT WILL EMPLOYMENT**

Employment with PAL is strictly on an “at will” basis. This means that all civilian employees are free to resign their employment from PAL at any time, for any reason, and that PAL reserves the right to terminate the employment of any civilian employee at any time, for any reason not prohibited by law, with or without prior notice. **Nothing in this Manual is meant to create contractual or binding obligations on the part of PAL or to alter the “at will” nature of the employment.**

**No employee, manager, or other agent of PAL, other than the Executive Director in consultation with and approval by the Board, has the authority to enter into any agreement contrary to the above, or to enter into any agreement with any employee for any specified period of time. Any amendment to the foregoing must be in writing and signed by the Executive Director, in consultation with and approval by the Board.**

A PAL civilian employee may not be hired, furloughed, laid off, terminated, promoted, or demoted or given a change in title without the recommendation of PAL’s Executive Director following consultation with and approval by the Board, that being the current Chair and/or Treasurer of PAL.

**B. EQUAL EMPLOYMENT OPPORTUNITY**

Recognizing that its continued success depends upon the quality of its human resources, PAL is committed to a policy of equal opportunity in employment and career development. All civilian employees are provided with employment training, compensation, promotion, and other conditions and terms of their employment as properly warranted without regard to race, ethnicity, color, creed, sex (including pregnancy, childbirth, or a related medical condition), sexual orientation, gender identity, religion, national origin, ancestry, age, disability, military or veteran status, marital status, familial status, genetic information, domestic or sexual violence victim status, or other status or characteristics protected by applicable local, state, or federal laws.

PAL recruits, hires, and promotes civilian employees with this policy in mind, and all other personnel actions and programs are administered in the same manner.

PAL is committed to providing reasonable accommodations where necessary, feasible, and required by applicable law. Employees seeking an accommodation must bring their request to the Director of Finance and Administration. When an accommodation is requested, the Director of Finance and Administration will meet and discuss the situation with the employee and attempt to reach a mutually agreeable reasonable accommodation.

**C. SUPERVISION**

A civilian employee’s Supervisor is the highest level of management in the department to which the employee is assigned. The employee will learn the details, responsibilities, and expectations associated with his or her job through their supervisor. The employee will be directly accountable to the appropriate Supervisor for the work the employee performs. It is beneficial for every employee to acknowledge and learn from the experience and knowledge of his or her Supervisor.

In the absence of a Supervisor in any department of PAL, the employees of such a department will report directly to the next level manager. The Executive Director reports to the Chairperson of the PAL Board of Directors or appropriate designee.

**D. OPEN DOOR POLICY**

Civilian employees are encouraged to discuss with their Supervisor any problems they may have regarding their employment. If there is some reason an employee is uncomfortable with discussing a specific issue with his or her Supervisor, or when the discussion of a problem extends beyond departmental lines, the employee should then direct the situation to the Director of Finance and Administration.

**E. EMPLOYMENT CLASSIFICATIONS AND OVERTIME**

For purposes of compensation administration and eligibility for employee benefits, PAL classifies its civilian employees as follows:

- Full-Time Salaried Employees: Includes employees who are regularly scheduled to work a minimum of forty (40) hours per week. Salaried employees are generally paid the same amount per pay period without regard to the number of hours worked.
- Full-Time Hourly Employees: Includes employees who are regularly scheduled to work a minimum of forty (40) hours per week. Hourly employees are paid based on an hourly amount.
- Part-Time Regular Employees: Includes employees who are regularly scheduled to work fewer than forty (40) hours per week.
- Temporary/Part-Time Seasonal Employees: Includes employees who are hired for either full-time or part-time employment, but who are specifically hired for a limited period of time, not to exceed one year.

In addition to the employment classifications listed above, PAL classifies its employees as exempt or non-exempt. Exempt/non-exempt status refers to whether the employee is exempt from the overtime requirements of the Fair Labor Standards Act ("FLSA") and the Pennsylvania Minimum Wage Act ("PMWA").

Non-exempt employees are eligible for overtime compensation. Approved overtime is reimbursed at one and one-half (1 ½) times the regular, straight-time, hourly rate for all authorized hours worked in a work week in excess of forty (40) hours per week. Time paid on account of holidays, vacation, bereavement, sick days, or jury duty is not included for purposes of computing overtime pay.

**Overtime work is not permitted without the prior, written authorization of your Supervisor.** Working overtime without the required authorization may result in disciplinary action. Non-exempt employees are required to be available for a reasonable amount of overtime, as conditions dictate. Overtime assignments, if any, will be distributed as equitably as practical to employees qualified to perform the required work.

New employees will be informed of their initial employment classification, as well as their status as an exempt or non-exempt employee, at the time they are hired. If an employee changes positions during employment with PAL as the result of a promotion, transfer, or other change in employment standing, the employee will be informed by the immediate supervisor and/or the Director of Finance and Administration of the change, if any, in the employee's classification and/or status.

**F. WORKING HOURS**

1. All employees are expected to report to their work area, prepared to work at the time appointed by their manager. Employees with excessive absence are subject to performance improvement action. Working hours for all civilian employees generally will be Monday through Friday, between the hours of 7:00 AM and 8:00 PM, with any specific eight (8) hour period to be approved by the appropriate Supervisor and/or Executive Director. Certain events may require civilian employees to work occasional nights and weekends. Comp time and Flex time are not offered at PAL.
2. All civilian clerical and office employees are expected to be ready to work by their prescribed starting time.
3. Whatever position a civilian employee holds, that individual plays an important role in the effective and efficient functioning of PAL. When an employee is absent or late without cause, it can affect the efficiency of the employee's department or PAL as a whole, and places an extra burden on fellow employees.

In the event a civilian employee is going to be late or absent from work, the individual is responsible, whenever possible, for calling in and notifying his or her Supervisor or the Executive Director no less than two hours before the scheduled work period would begin.

4. A civilian employee is permitted up to one hour for lunch or such other time as would be practicable based on the employee's scheduled work period. Lunch periods (or where applicable, dinner periods) will be staggered among the civilian employees in a particular department so that every department will have adequate coverage during the lunch (or dinner) period. All employees are expected to be ready to work by the end of their respective lunch/dinner periods.
5. Government regulations require PAL to keep accurate records of the time worked by most classes of its employees. Therefore, employees must maintain accurate records of the time they arrive and leave work, including any breaks in the work day. Time tracking system is in place for this purpose.

**G. SALARY ADMINISTRATION****1. Performance Reviews**

a. All full-time and part-time regular civilian employees are subject to a mid-year and an annual performance review by their Supervisor, or in the absence of a Supervisor in a particular department, by the Executive Director. New employees will have a performance review conducted by their Supervisor, or the Executive Director where appropriate, as soon as practicable after the first ninety (90) calendar days of their employment.

b. A committee designated by the Chairperson of the Board and headed by the Chair of the Personnel Committee, will conduct a performance review of the Executive Director at least once per fiscal year.



**2. Base Salary Adjustments**

a. Merit increases for all full-time and part-time regular civilian employees are based entirely on performance and not length of service and, therefore, will not be awarded in all circumstances. At PAL's sole discretion, merit increases **may** be awarded annually, generally on or about January 1<sup>st</sup>, or such other interval as may be appropriate to a particular situation such as in conjunction with a promotion.

b. A merit increase is based on the recommendation of the Executive Director followed by consultation with and approval by The Treasurer and chair of the Board.

**3. Performance Bonuses**

a. Performance bonuses for all full-time and part-time regular civilian employees are based entirely on performance that exceeds normal expectations and, therefore, will not be awarded in all circumstances. At PAL's sole discretion, a performance bonus **may** be awarded annually, generally on or about August 31<sup>st</sup>. If an employee decides to separate from PAL at any point, PAL does not have the obligation to award the retroactive amount to the employee.

b. A performance bonus is based on the recommendation of the Executive Director followed by consultation with and approval by the Treasurer and chair of the Board.

**4. Holiday Bonuses**

A holiday bonus is based on the recommendation of the Executive Director followed by consultation with and approval by the Treasurer and chair of the Board.

**5. Payroll Taxes and Tax Reporting**

Federal, state and local laws require PAL to withhold the applicable taxes from each payment made to an employee at the time it is actually or constructively paid, not when the wages are earned and become payable, and to issue the appropriate tax documents annually. Upon hire, each employee is required to complete a W-4 form that specifies the number of tax exemptions claimed by the employee. PAL does not provide assistance in determining the number of tax exemptions an employee may claim.

All employees are required to immediately notify the PAL Accounting and Benefits Coordinator writing of any changes to their name, address, telephone number, emergency contacts, and other personal data, as some of this information may affect an employee's payroll deductions.

**6. Pay Intervals**

Civilian employees are paid every other Friday for the two-week period which includes the Friday and the thirteen (13) calendar days immediately preceding it. When the pay date falls on a holiday, checks will be distributed on the preceding business day. PAL pays employees by direct deposit. Please contact the PAL Accounting and Benefits Coordinator with any questions related to direct deposit.

## 7. Errors in Pay

If an employee believes an error has occurred in his or her paycheck, he or she should immediately advise the Director of Finance and Administration, who will investigate and correct any error, if necessary. If an error should occur on an employee's paycheck, whether an overpayment or underpayment, in most cases the adjustment will be made in the following paycheck, but all questions should be made to the Director of Finance and Administration.

PAL will not make impermissible deductions from its employees' salaries. If an employee believes an impermissible deduction has been made, he or she should immediately advise the Director of Finance and Administration, who will investigate and correct the deduction, if necessary.

## H. EMPLOYEES ENTITLED TO BENEFITS

Only full-time regular civilian employees are eligible to receive benefits described in Section "I" entitled "Employee Benefits."

## I. EMPLOYEE BENEFITS

The following is a brief summary of employee benefits that PAL offers at the present time to its full-time regular civilian employees. **PAL expressly reserves the right to substitute, change, reduce, or cancel any of the following employee benefit plans or provisions (including the payment for the health care coverage waiver) at any time and for any reason, in accordance with applicable laws.**

As the following is intended only as a brief synopsis of PAL's benefit plan, employees are cautioned that they must refer to the appropriate summary plan descriptions for specific details on plan coverage, including eligibility requirements, claim processing requirements and coverage limitations. If the benefit summaries contained in this Manual conflict with any statement contained in the formal plan documents, those plan documents supersede anything contained in this Manual.

### 1. Medical Coverage

a. PAL offers every full-time regular civilian employee the choice to participate in a health care coverage plan. HMO coverage is **currently** provided through Independence Blue Cross/Blue Shield through Trinity Benefit Advisors. There is no employee contribution towards the cost of the monthly premium **at this time**. However, there may be an annual deductible and co-pays which must be paid out-of-pocket by the employee. An employee may add his or her spouse and/or children to the health care coverage plan (during open enrollment or as otherwise permitted through the health plan) but the employee must pay the additional premium associated with coverage for family members.

b. Employees may choose to opt out of the health care coverage plan PAL offers to its full-time regular civilian employees by completing a written waiver and providing PAL with written proof of adequate alternative health care coverage. An employee who waives health care coverage will receive the equivalent of one (1) month's premium for the most current single policy HMO plan which will be paid in the first pay period of January each year. Employees electing to opt out of the healthcare coverage plan are

limited to receiving one (1) payment equivalent to one (1) month's HMO premium per year.

c. Should an employee elect to waive health care coverage, the waiver will remain in effect for not less than twelve (12) months. Written notice of not less than forty-five (45) days must be provided to the Executive Director in order for an employee to revoke his or her health care coverage waiver.

**2. Short-Term and Long-Term Disability Coverage**

a. PAL offers every full-time regular civilian employee the choice to participate in a short and long-term disability plan which is **currently** provided through Sun Life & Health Insurance Company. There is no employee contribution towards the cost of the monthly premium **at this time**. Disability benefits provide a level of income continuation for employees who are unable to work due to a short or long-term disability.

b. Although employees may choose to opt out of the short and long-term disability plan PAL offers to its full-time regular civilian employees, there is no remuneration of any sort for electing to do so.

**3. Dental Coverage**

a. PAL offers every full-time regular civilian employee the choice to participate in a dental plan which is **currently** provided through Trinity Benefit Advisors. There is no employee contribution towards the cost of the monthly premium **at this time**. However, there may be an annual deductible and co-pays which must be paid out-of-pocket by the employee. An employee may add his or her spouse and/or children to the dental plan (during open enrollment or as otherwise permitted by the plan) but the employee must pay the additional premium associated with coverage for family members.

b. Although employees may choose to opt out of the dental plan PAL offers to its full-time regular civilian employees, there is no remuneration of any sort for electing to do so.

**4. Life Insurance**

A \$25,000 term life insurance policy is provided for all full-time regular civilian employees. There is no employee contribution towards the cost of the monthly premium **at this time**.

**5. Retirement Account**

PAL establishes a retirement account for every full-time regular civilian employee who is over twenty-one (21) years of age and has more than one (1) year of continuous service to PAL. The fund is the Simple Employee Pension Plan (SEP) which is **currently** administrated by AIG Valic. PAL, **at its discretion**, makes a yearly contribution of a certain percentage of the employee's base salary to the employee's SEP plan.

**J. HOLIDAYS**

1. The following ten (10) days are designated paid holidays for full-time regular civilian employees:

New Year's Day  
Martin Luther King Day  
Good Friday  
Memorial Day  
Independence Day  
Labor Day  
Thanksgiving Day  
Day after Thanksgiving  
Day before Christmas  
Christmas Day

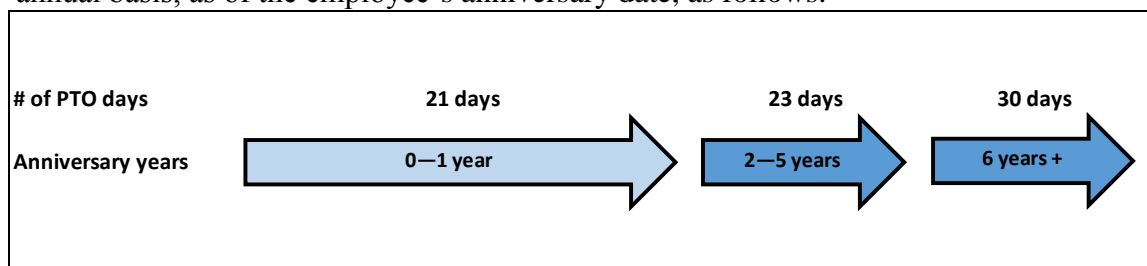
2. If a designated paid holiday falls on Saturday, it will normally be observed on Friday and, if said holiday falls on a Sunday, it will normally be observed on Monday.
3. If a paid holiday occurs during a full-time regular civilian employee's paid vacation, the holiday will not be counted as a vacation day.
4. Full-time regular civilian employees who would like to use a vacation day on the day before and/or after a holiday must have the approval of their Supervisor or the Executive Director, as applicable. A written request to use vacation days to supplement a holiday must be made by the employee at least two weeks in advance of the specific holiday. When staffing conflicts arise, requests for the day(s) off will be determined by the Supervisor or Executive Director at their discretion.
5. Seasonal part-time employees, and temporary civilian employees are not eligible for paid holidays or PTO.

**K. PAID TIME OFF (PTO)**

Paid Time Off (PTO) combines traditional vacation, personal time, and sick time into a single pool of days for employees to use to take paid time off from work. PTO allows an employee to use days off at his or her discretion, subject to the operational needs of PAL. Employees must provide reasonable advance notice (at least 2 weeks, where practical) of intent to use PTO time. PAL will attempt to accommodate all PTO requests; however, PAL may deny or modify a request depending on operational needs.

## 1. Non-Exempt Full-Time Regular Civilian Employees

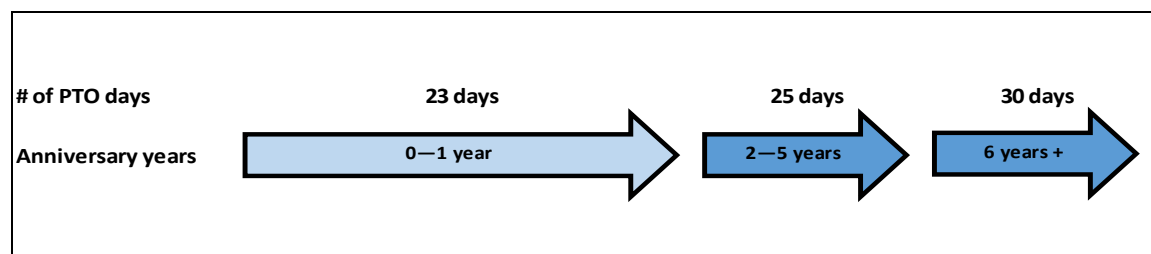
A non-exempt full-time regular civilian employee's PTO is earned and accrued on an annual basis, as of the employee's anniversary date, as follows:



- During the first year of employment, the employee will be eligible for twenty one (21) business days.
- On the 1<sup>st</sup> through 5<sup>th</sup> anniversary of the employee's original date of hire, the employee will earn and accrue twenty three (23) business days of PTO per year.
- Beginning with the employee's 6<sup>th</sup> anniversary based on the original date of hire, the employee will be eligible to earn and accrue thirty (30) business days of PTO per year.
- An employee may carry over up to five (5) business days of paid PTO into the next year calculated from the employee's anniversary date. **Any PTO days exceeding the carryover limit of five (5) business days not used during the applicable year will be permanently forfeited.**

## 2. Exempt Full-Time Regular Civilian Employees

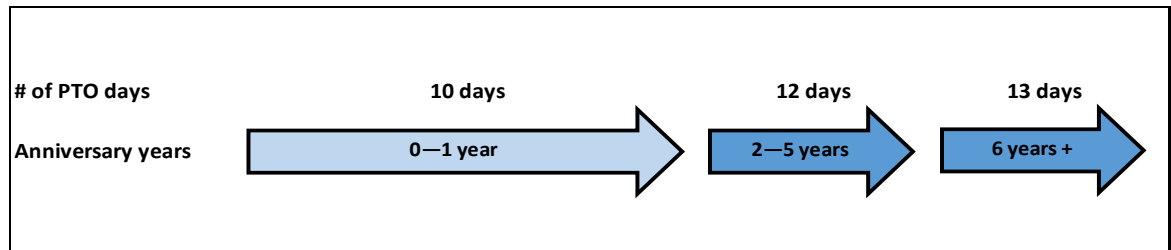
An exempt full-time regular civilian employee's PTO is earned and accrued on an annual basis, as of the employee's anniversary date, as follows:



- During the first year of employment, the employee will be eligible for twenty-three (23) business days. On the 1<sup>st</sup> through 5<sup>th</sup> anniversary of the employee's original date of hire, the employee will earn and accrue twenty-five (25) business days of PTO per year. Beginning with the employee's 6<sup>th</sup> anniversary based on the original date of hire, the employee will be eligible to earn and accrue thirty (30) business days of PTO.
- An employee may carry over up to five (5) business days of PTO into the next year calculated from the employee's anniversary date. **Any PTO days exceeding the carryover limit of five (5) business days not used during the applicable year will be permanently forfeited.**

### 3. Part-Time Regular Civilian Employees

A part-time regular civilian employee's PTO is earned and accrued on an annual basis, as of the employee's anniversary date as follows:



- a. During the first year of employment, the employee will be eligible for ten (10) business days of PTO.
  - b. On the 1<sup>st</sup> through 5<sup>th</sup> anniversary of the employee's original date of hire, the employee will earn and accrue twelve (12) business days of PTO per year.
  - c. Beginning with the employee's 6<sup>th</sup> anniversary based on the original date of hire, the employee will be eligible to earn and accrue eleven (13) days.
  - d. Part-time employees are required to use their available PTO during the year in which it is earned and accrued or the days will be permanently forfeited.
4. Temporary/Seasonal part-time civilian employees are not eligible for PTO but may request unpaid time off with approval by his/her immediate supervisor.
  5. Compensation in lieu of PTO is not permitted for either full-time or part-time regular civilian employees.
  6. An extended PTO period (for example a planned vacation) will be approved at the discretion of the employee's Supervisor or the Executive Director. A written request for an extended PTO period should be filed with the civilian employee's Supervisor or Executive Director, where applicable, as early as possible. Every effort will be made by management to accommodate the request of the employee.
  7. PTO may be taken in days or weeks, but may not exceed ten (10) consecutive business days without prior approval from the immediate supervisor.
  8. Accrued but unused PTO as of the date of an exempt or non-exempt full-time civilian employee's termination, whether voluntary or involuntary, will be paid to the employee in a lump sum on the next regularly scheduled payday following the employee's last day of employment. **The calculation and payment of accrued but unused PTO will be in strict accordance with the provisions set forth in paragraphs K.1.d., K.2.b. and K.3.d. above.**

## **L. LEAVES OF ABSENCE**

This section briefly describes the various leave policies PAL provides. Please note that violations and/or abuse of any of the policies outlined below may result in disciplinary action.

### **1. Disability Leave**

The short term and long term disability policies currently in effect for full-time civilian employees are intended to supplement sick leave in the event an injury from an accident, an illness, or a medical condition develops into a cognizable disability under these policies. All benefits under such policies are granted in strict accordance with the terms, definitions, limitations and/or exclusions of the policies.

### **2. Funeral Leave**

a. Full-time salaried and hourly civilian employees may be granted a paid leave of absence of up to five (5) business days in the event of a death in the immediate family, i.e., spouse, child, parent, or sibling and two (2) business days in the event of a death in the extended family, i.e., uncle, aunt, or grandparents. An employee may use PTO to extend paid funeral leave up to a maximum of ten (10) business days. The granting of additional days of unpaid funeral leave is at the discretion of the Executive Director. If the employee desires to attend the funeral of other family members not specified above, and the funeral is scheduled on a business day, he or she may use a combination of up to five (5) PTO days to attend the funeral or the employee may request up to five (5) days of unpaid funeral leave which may be granted at the discretion of the Executive Director.

b. Part-time regular civilian employees are not entitled to paid funeral leave in the event of a death in the immediate family. However, they may request unpaid time off for a period not to exceed five (5) business days following the date of death.

c. Temporary and seasonal part-time civilian employees are not entitled to paid funeral leave in the event of a death in the immediate family. However, they may request unpaid time off for a period not to exceed five (5) business days following the date of death.

d. All civilian employees must prepare a written memorandum to the Executive Director to request a funeral leave of absence. The memorandum should include the name and relationship of the deceased, the date of death, and the date, time and place of the viewing and burial.

e. Civilian employees who are on vacation at the time a death in their immediate family occurs may request funeral leave in the manner detailed above.

### **3. Jury Duty**

a. Full-time regular civilian employees called to jury duty will be compensated in an amount equal to the difference between the employee's regular compensation for the period and the amount the employee receives as a juror. If jury duty extends beyond ten



(10) business days, PAL reserves the right to reduce the compensation to the employee by 50% of the employee's normal compensation for the period exceeding ten (10) business days. No compensation will be paid to an employee for jury duty after twenty (20) business days. Proof of jury duty and compensation received as a juror must be provided to the Accounting department and shared with an immediate supervisor.

b. Part-time regular, temporary, and seasonal part-time civilian employees called to jury duty will not receive compensation from PAL during their period of service.

c. To the extent an exempt or non-exempt employee is required to serve jury duty without regular pay, he or she may use any available paid time off or may request an unpaid jury duty leave of absence. Requests for jury duty leaves of absence are not deemed approved until the employee receives written confirmation from his/her immediate supervisor or the Executive Director.

d. In the event an employee is summoned to jury duty, the employee must notify his or her supervisor.

e. Employees are expected to report to work on days when they are temporarily released from jury duty, when jury duty sessions are postponed, or when jury duty sessions do not occupy the entire day.

#### **4. Military Leave**

It is PAL's policy to support the military, National Guard and Reserves. PAL employees' job and career opportunities are not limited or reduced because of their service in the Guard or Reserve. PAL employees will be granted unpaid leaves of absence for military training and/or duty in the Guard or Reserve without sacrifice of PTO and as outlined below.

Notice of a need for military leave must be made in writing to the Executive Director in advance, stating the leave date and location, as soon as practicable and should be submitted with copies of the military orders.

An employee performing annual active training duty in order to maintain Reserve status, eligibility for promotion, or military retirement status, or an employee called for active duty during a civil emergency, will be granted a leave for that period of service in accordance with federal and state laws and implementing regulations.

PAL will continue to provide benefits to employees on eligible military leave pursuant to federal and state law. Furthermore, employees may be entitled to reinstatement upon completion of military service pursuant to federal and state law. Upon completion of military service, employees must promptly notify the Director of Finance and Administration of their intention to return to work. An employee's failure to do so may preclude his/her re-employment.

Employees with questions about military leave are encouraged to contact the Director of Finance and Administration.

#### **5. Leave Related to Domestic Violence, Sexual Assault, or Stalking**



PAL is committed to promoting the health and safety of our employees and to make a positive contribution in the fight to end domestic violence, sexual assault, and stalking. Employees who are the victims of domestic violence, sexual assault, or stalking may be eligible for paid or unpaid leave under the Philadelphia Code.

Employees who may have a need to take leave for these sensitive issues may contact the Director of Finance and Administration. All inquiries/requests will remain strictly confidential.

#### **M. INCLEMENT WEATHER**

1. In the event of an extreme inclement weather forecast, the Executive Director, in his or her discretion, may announce a delayed opening or instruct the civilian staff to work from home by utilizing remote access to their PAL computers. All civilian employees will be informed by their Supervisor and/or the Executive Director by 6:00 a.m. of the business day in such an event.
2. If PAL Headquarters is open but a civilian employee elects to stay home during inclement weather, the employee must use PTO.
3. Employees must contact his/her Supervisor if inclement weather threatens to cause the employee to arrive late for work.

#### **N. DRUG-FREE WORKPLACE/DRUG AND ALCOHOL ABUSE/REPORTING**

Employees are expected and required to report to work on time and in appropriate mental and physical condition to work. Each employee is responsible to help ensure that PAL remains a drug-free, healthful, safe, and secure environment.

**PAL absolutely prohibits the unlawful sale, possession, purchase, manufacture, use, distribution or dispensing of controlled substances, including drugs, on PAL owned or controlled premises or while conducting PAL business off premises. Violations of this policy will result in disciplinary action, up to and including termination of employment, and may have other legal consequences. Employees must, as a condition of employment, abide by the terms of this policy and report to PAL any conviction under a criminal drug statute for violations occurring on or off PAL owned or controlled premises while employed by PAL. For purposes of this policy, the term conviction is defined to mean a finding of guilt, including any plea of *nolo contendere*, an imposition of a sentence, or both, by any judicial body charged with the responsibility to determine violations of federal or state criminal drug statutes.**

PAL also prohibits the abuse of alcohol by employees on PAL property or as part of any of its activities. PAL recognizes that employees with alcohol and/or drug-related problems should be encouraged to use self-help groups such as Alcoholics Anonymous or Narcotics Anonymous or health insurance plans, as appropriate, when facing alcohol and/or drug related problems.

PAL may require any employee who it reasonably believes is in violation of this policy to undergo drug and/or alcohol testing.

Employees authorized to drive on behalf of PAL are required to report an arrest during the term of employment for driving under the influence (DUI). In addition, all employees are required to report any arrest during the term of employment covered by the child protection laws of Pennsylvania. Reports of these arrests must be made to the Executive Director **immediately**.

If an employee is arrested for or convicted of an offense that would constitute grounds for denying employment or participation in a program, activity or service under the Child Protective Services Law, or named as perpetrator in a founded or indicated report, he or she must provide a written notice to the Executive Director not later than 72 hours after the arrest, conviction or notification that he or she has been listed as a perpetrator in the Statewide database.

## **O. GAMBLING IN THE WORKPLACE**

PAL employees shall not engage in gambling activities, including professional or organized gambling, during work hours and are prohibited from using PAL equipment or facilities in carrying out such activities. PAL may allow exceptions to this prohibition for office-sanctioned pools, raffles, friendly wagers, or PAL-sponsored events supporting a charitable or fundraising cause. Employees who have questions about whether a particular activity is prohibited by this policy are encouraged to contact the Director of Finance and Administration.

## **P. NO HARASSMENT POLICY**

### **1. Harassment, Generally**

PAL prohibits any form of unlawful employee harassment or behavior that has the effect of creating a hostile work environment based on an employee's race, ethnicity, color, creed, sex (including pregnancy, childbirth, or a related medical condition), sexual orientation, gender identity, religion, national origin, ancestry, age, disability, military or veteran status, marital status, familial status, genetic information, domestic or sexual violence victim status, or other status or characteristics protected by applicable local, state and/or federal laws.

PAL will not tolerate, condone, or allow unlawful harassment, whether engaged in by fellow employees, supervisors, managers, customers, or other non-employees who conduct business with PAL.

While PAL encourages individuals who believe they are being harassed to firmly and properly notify the offender that his or her behavior is unwelcome and discriminatory, PAL also recognizes that such a confrontation is not always appropriate or advisable. Any employee who believes that he or she has experienced unlawful harassment should report the grievance to the Director of Finance immediately, consistent with the Complaint Procedure outlined below. Similarly, if a supervisor has a reasonable belief that harassment is occurring or has occurred, the supervisor should report the information to the Director of Finance immediately. If an employee believes that he or she has experienced unlawful harassment or a supervisor has a reasonable belief that such harassment is occurring or has occurred, the individual or supervisor should report the information to the Director of Finance and Administration.

PAL developed this policy to ensure that all employees work in a harassment-free environment. PAL will make every effort to ensure that all its personnel are familiar with the policy and know that any complaint received will be promptly and appropriately investigated.

### **2. Sexual Harassment, Defined**

The definition of sexual harassment is often subject to confusion. Sexual harassment does not refer to an occasional compliment; it is defined, instead, as any unwelcome sexual advances, requests for sexual favors, and/or other verbal, graphic, or physical conduct of a sexual nature when:

- a. It is either explicitly or implicitly made a term or condition of an individual's employment.
- b. It is used as the basis for employment decisions affecting an individual.
- c. It has the effect of unreasonably interfering with an individual's work performance, or creating an intimidating, hostile, or offensive working environment for that employee or for other employees even where they are not parties to the harassment.
- d. It results in "reverse discrimination"; that is, it negatively affects an employee in lieu of a co-worker with whom the Supervisor is receiving sexual favors.
- e. Sexual harassment may include, but is not limited to: touching, patting, or brushing against the body; photos or other sexually-oriented material; off-color jokes; sexually-demeaning remarks or suggestions; overly familiar terms or remarks; and/or offensive gestures or teasing.

**Q. COMPLAINT PROCEDURE**

All PAL civilian employees are responsible for creating and maintaining an atmosphere free of discrimination and harassment, and for respecting the rights of their co-workers. Failure to do so may result in disciplinary action, including possible termination of employment.

If a civilian employee experiences any job-related discrimination or harassment (including sexual harassment) based on his or her race, ethnicity, color, creed, sex (including pregnancy, childbirth, or a related medical condition), sexual orientation, gender identity, religion, national origin, ancestry, age, disability, military or veteran status, marital status, familial status, genetic information, domestic or sexual violence victim status, or other status or characteristics protected by applicable local, state and/or federal laws, or believes that he or she has been treated in an unlawful and/or discriminatory manner, the employee is directed to report the incident to a Supervisor, or the Director of Finance and Administration.

Oral reports of harassment should be reduced to writing by either the complainant or the relevant Supervisor, or the Director of Finance and Administration and signed by the complainant. PAL shall maintain a written record of each complaint, including how it was investigated and resolved, in a manner consistent with PAL's legal obligations.

PAL encourages the prompt reporting of complaints so that a prompt response and appropriate action may be taken. The late reporting of a complaint may adversely impact PAL's ability to respond and to take appropriate action.

All complaints shall remain confidential to the extent practicable given the need to investigate the complaint properly and to determine an appropriate resolution. In pursuing the investigation, the investigator will try to honor the complainant's wishes, but the need to completely investigate all allegations will be the paramount concern. PAL will take all of the necessary and appropriate steps to ensure that any civilian employee making a good faith complaint will suffer no retaliation as a result of having made a complaint.

If PAL determines that a civilian employee has violated this policy, or has engaged in inappropriate or unprofessional behavior, including making allegations in bad faith or knowingly

making false allegations, appropriate disciplinary action will be taken against the offending employee, up to and including possible termination of employment.

PAL forbids any form of retaliation against an employee for filing a good faith complaint under this policy or for assisting in good faith in a complaint investigation. Any employee who feels he or she has been retaliated against for filing a complaint under this policy, or for assisting in an investigation, should immediately report the retaliatory action to the Director of Finance and Administration. Any person found to have retaliated against another individual for reporting unlawful harassment or discrimination may be subject to the same range of disciplinary action provided for harassment/discrimination offenders.

## **R. EMPLOYEE PROTECTION POLICY**

If any employee reasonably believes that some policy, practice, or activity of PAL is in violation of law, a **written complaint** shall be filed by that employee with the Executive Director or the Chairperson of the Board.

It is the intent of PAL to adhere to all laws and regulations that apply to the organization and the underlying purpose of this policy is to support the organization's goal of legal compliance. The support of all employees is necessary to achieving compliance with various laws and regulations. Employees are protected from retaliation when an employee brings the alleged unlawful activity, policy, or practice to the attention of PAL and provides PAL with a reasonable opportunity to investigate and correct the alleged unlawful activity.

PAL will not retaliate against an employee who in good faith, has made a protest or raised a complaint against some practice of PAL, or of another individual or entity with whom PAL has a business relationship, on the basis of a reasonable belief that the practice is in violation of law, or a clear mandate of public policy.

PAL will not retaliate against employees who disclose or threaten to disclose to a supervisor or a public body, any activity, policy, or practice of PAL that the employee reasonably believes is in violation of a law, or a rule, or regulation mandated pursuant to law or is in violation of a clear mandate of public policy concerning the health, safety, welfare, or protection of the environment.

## **S. TECHNOLOGY & CONFIDENTIALITY POLICIES**

Summarized below are PAL's employee policies regarding technology and confidentiality issues. Should you have any questions regarding any of the policies below, please contact the Director of Finance and Administration.

**Nothing in these policies is intended to unlawfully restrict an employee's right to engage in any of the rights guaranteed them by Section 7 of the National Labor Relations Act, including but not limited to, the right to engage in concerted protected activity for the purposes of their mutual aid and/or protection. Nothing in these policies will be interpreted, applied or enforced to interfere with, restrain or coerce employees in the exercise of Section 7 rights.**

## **1. Confidential Information Policy**

In performing their duties for PAL, civilian employees may have access to confidential information including, but not limited to, proprietary business information relating to PAL, the content and deliberations of meetings of the Board of Directors and its committees, and personal confidential information related to other employees, applicants, retirees, volunteers, PAL members, PAL alumni, Board officers and directors, donors, sponsors and business partners. This includes information contained in documents or recordings, viewed online, in print, or in other media, or received electronically or verbally. **Information to which employees have access is to be shared only as appropriate and only as the business need requires.** The disclosure of confidential information to others who do not have a legal right to the information may also violate the Family Educational Rights and Privacy Act of 1974 (FERPA), the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and/or other federal and state laws. **Any employee who misuses or otherwise improperly discloses confidential information not otherwise available to persons or firms outside PAL will be subject to disciplinary action, up to and including termination of employment.**

Any civilian employee who volunteers or is asked to disclose confidential information to any person who does not have a legitimate business reason for obtaining such information, or any employee who is aware of other individuals who have disclosed confidential information in violation of this policy must report such an occurrence to his or her immediate supervisor, the Executive Director or the Chairperson of the Board. **Failure to report a violation of this policy may result in disciplinary action, up to and including termination of employment.**

## **2. Computer Software and Hardware Policy**

All computing hardware and software, including all electronic communications operated thereon, operated by PAL or provided to employees of PAL is the property of PAL. These systems are provided to employees as a business tool to enhance productivity and are to be used solely for job-related purposes.

**PAL reserves and may exercise the right, at any time, without notice, to monitor, review, audit, intercept, access, and/or disclose all materials created, received, or sent over such systems, to the extent reasonable under the circumstances, and as permitted by law. This includes any periodic monitoring of employees' use of PAL's computer software and hardware by the current Head of Information Technology, whether a civilian employee of PAL or police employee of the City of Philadelphia. No individual user shall have any expectation of privacy from such access or monitoring, in accordance with applicable law.**

An employee may not duplicate any licensed software or related documentation for use, either on PAL's premises or elsewhere, unless expressly authorized to do so by written agreement with the licensor and may not provide licensed software to anyone outside of PAL. Employees should be aware that the illegal duplication of software may result in the filing of criminal copyright charges by the owners of the copyrights and other claims of liability.

All software that PAL acquires must be purchased by the Head of the IT Department following approval by the Executive Director (or appropriate designee). Upon delivery, all software must be properly registered and installed by the Head of the IT Department. An employee may not load personal software onto PAL's computers.

Any employee who is found to have installed any type of software onto his or her office computer without prior authorization by the Head of the IT Department, will be subject to disciplinary action, up to and including termination of employment, regardless of whether the software is a licensed or unlicensed product, and whether the software is needed as part of the employee's day-to-day tasks.

All software installed onto PAL's computer system must be covered by the appropriate supplier's authentication certificates. All of PAL's computers remain the property of PAL and will be configured in a way that is deemed appropriate by the Head of the IT Department.

Any employee who is found to have installed any software licensed to PAL onto any personal computer without the prior authorization of the Head of the IT Department will be subject to disciplinary action, up to and including termination of employment.

Use of the PAL's CD writers or other equipment to produce illegal copies of software or other materials will lead to disciplinary action, up to and including termination of employment.

### 3. **Fax, Email, and Internet Usage Policy**

#### A. **Faxes**

All faxes from PAL and/or involving PAL business must bear the following disclaimer at the bottom of the Fax Cover Sheet:

#### **CONFIDENTIALITY NOTICE**

The contents of this fax are confidential to the individual to whom it is addressed and may also be privileged. If you are not the addressee of this fax, you may not copy, forward, disclose, or otherwise use all or part of it in any form whatsoever. If you have received this fax in error, please destroy it and inform the sender immediately.

Any views expressed by an individual within this facsimile do not necessarily reflect the views of PAL.

#### B. **E-mail**

PAL's e-mail system is to be used for business purposes only. **Any employee who misuses or otherwise improperly discloses confidential information not otherwise available to persons or firms outside PAL will be subject to disciplinary action, up to and including termination of employment.** PAL owns any communication sent via e-mail or that is stored on the organization's computers or other electronic equipment. Management and other authorized staff have the right to access any material in your e-mail or on your office computer at any time. Please do not consider your electronic communications, storage or access to be private if it is created or stored at work; **no individual user shall have any expectation of privacy from such access or monitoring, in accordance with applicable law.**

Inappropriate, illegal or excessive use of PAL's e-mail system for personal or other reasons will subject the employee to disciplinary action, including possible termination of employment.

#### C. **Internet**



Internet use on the organization's time is authorized to conduct PAL business only. Internet use brings the possibility of breaches to the security of confidential and/or proprietary PAL information. Internet use also creates the possibility of contamination to PAL's system via viruses or spyware. Spyware allows unauthorized people, outside of the organization, potential access to PAL's passwords and other confidential information. Removing such programs from the organization's network requires IT staff to invest time and attention.

Inappropriate, illegal or excessive use of PAL's internet system for personal or other reasons will subject the employee to disciplinary action, including possible termination of employment.

#### **4. Social Media Policy**

PAL recognizes that many of its employees use social media such as Facebook, Twitter, LinkedIn, YouTube, and others in their personal lives as well as at work. As a result, we encourage employees to use social media within the guidelines listed below **when posting on a non-PAL social media site**. PAL's social media accounts are to be used for PAL's business purposes only. If you are uncertain about the appropriateness of a social media posting, check with your supervisor or PAL's Executive Director first.

- Do not post any comment or picture involving a non-employee PAL participant, volunteer, or family member without his or her express, written consent or, if the individual is under 18 years old, the express written consent of his or her parent/guardian.
- If you post any comment about PAL, you must clearly and conspicuously state that you are posting in your individual capacity and the views posted are yours alone and do not represent the views of our organization.
- Respect the laws regarding copyrights, trademarks, rights of publicity, and other third-party rights. For PAL's protection as well as your own, it is critical that you show proper respect for the laws governing copyright, fair use of copyrighted material owned by others, trademarks, and other intellectual property, including PAL's own copyrights, trademarks, slogans, and brands.
- All postings on social media must comply with PAL's policies on confidentiality and disclosure of proprietary information. If you are unsure about the confidential nature of information you are considering posting, consult PAL's Executive Director or his/her designee first.

You are responsible for what you write or present on social media. You can be sued by other employees or any individual who views your social media posts as defamatory, harassing, libelous, or creating a hostile work environment.

All organizational policies that regulate off-duty conduct also apply to social media activity including, but not limited to, policies related to illegal harassment, code of conduct, nondiscrimination, and protecting confidential and/or proprietary information.

Employees may not use PAL's equipment for non-work-related activities without permission. Additionally, our E-mail and Internet Policy applies to social media use at work, including our policy that personal use of PAL's computers, including personal social media activities, should not interfere with your duties at work.

Violation of this policy may subject the employee to disciplinary action, up to and including termination of employment.

#### **T. DOCUMENT MANAGEMENT AND RETENTION POLICY**

In the course of conducting business on behalf of PAL, thousands of documents, including e-mails, are created and/or received. These documents must be managed and retained to comply with both federal laws and the charitable laws of the Commonwealth of Pennsylvania. Employees of each department within PAL should pay special attention to the retention guidelines pertaining to the type of documents they generate or receive in the normal course of business. Employees with questions about document management and/or retention requirements should contact the Director of Finance and Administration.

**Warning:** All permitted document destruction shall be halted if the organization is being investigated by a governmental law enforcement agency, or if the organization has notice of civil litigation, and routine destruction shall not be resumed without the written approval of PAL Legal Counsel.

#### **U. PERFORMANCE MANAGEMENT**

PAL subscribes to a policy of progressive performance management. Performance management may involve a progressive series of actions designed to address performance issues. However, PAL reserves the sole discretion at all times and under any circumstances to skip, combine, or modify these steps depending on the severity of or circumstances surrounding an infraction and consistent with PAL's policy of at-will employment.

#### **V. TERMINATION OF EMPLOYMENT**

Employees who voluntarily leave PAL must notify his or her supervisor of their intention to resign by giving at least two weeks' notice. Where possible, resigning employees are paid all moneys due no later than the next regularly scheduled payday. Employees must return all files, equipment, documents, and all other items that are property of PAL prior to the final day of employment or as otherwise directed by PAL.

Employees are requested to participate in an exit interview. This interview enables PAL to better evaluate employee/employer relationships.

At termination, an adjustment to the final paycheck may be made for PTO days taken in excess of those earned.

#### **W. WORKERS' COMPENSATION**

##### **1. Policy**

PAL provides a comprehensive workers' compensation insurance program at no cost to all PAL employees. As prescribed by law, this program covers any injury or illness sustained in the



course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

## **2. Procedure**

Any employee who sustains a work-related injury or illness must inform the Director of Finance and Administration immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This enables an eligible employee to qualify for coverage as quickly as possible.

The Director of Finance and Administration will then prepare a written report for the insurance carrier reflecting the nature of the illness or injury, the cause, if known, the date and time of the incident or onset, and all other pertinent circumstances.

An employee who suffers an occupational illness or injury for which he or she must receive medical attention during the work day in which the illness or injury occurs is paid for all of his or her regularly-scheduled hours of work for that day.

Employees may not return to work after an occupational illness or injury without receiving medical clearance acceptable to PAL.

## **3. Designated Health Care Providers**

In order to be eligible for workers' compensation benefits, Pennsylvania employees must be treated by one of PAL's designated health care providers for a period of ninety (90) days from the date of the first visit. PAL's workers' compensation insurance is not responsible for treatment from a non-designated health care provider during this period. After the expiration of this ninety (90) day period, an employee may elect to continue treatment with the designated provider or seek treatment from another provider, as long as the employee notifies the Director of Finance and Administration in writing within five (5) days of the first treatment by the non-designated provider and the provider thereafter files and provides to the employee and to the Director of Finance and Administration a medical report form issued by the Bureau of Workers' Compensation within ten (10) days of the commencement of treatment and at least once a month thereafter as long as treatment continues. If proper notice of the election of a non-designated provider is not given, PAL's workers' compensation insurance is not responsible for any such treatment determined to have been unreasonable or unnecessary and no payment will be made for any treatment unless and until the required medical reports are received by the Director of Finance and Administration.

PAL's designated health care providers are listed on the Workers' Compensation Poster in a designated area in each Pennsylvania PAL location.

To the full extent permitted by law, PAL reserves at all times the right to require a Pennsylvania employee claiming or receiving workers' compensation benefits to submit to an examination by a physician of PAL's choice.

## **X. Dress Code Policy**

PAL expects employees to dress appropriately in business casual attire that is comfortable and practical for work, but not distracting or offensive to others.

Business casual attire includes suits, pants, jackets, shirts, skirts and dresses that, while not formal, are appropriate for a business environment. Examples of appropriate business attire include a polo shirt with pressed khaki pants, a sweater and shirt with corduroy pants, and a jacket, sweater, and skirt. Jeans, Jeans with holes, t-shirts, shirts without collars, and footwear such as flip flops, sneakers, and sandals are not appropriate for business casual attire.

PAL expects employees, who have frequent visits to PAL centers, to dress appropriately in casual attire that is comfortable and practical for work for the work being performed in a PAL center. Employees may wear casual attire on Fridays of each week unless employees have business meetings. Shorts, tank tops and jeans with holes are not allowed.

### **ACKNOWLEDGMENT OF RECEIPT**

I hereby certify that I have been given and had an opportunity to review the PAL Employee Manual, and that I understand and acknowledge its contents, including the following provisions of the IMPORTANT NOTICE to employees and the At Will Employment Policy (Policy A) contained on pages 3–4 of this Manual:

Although PAL has tried to be comprehensive, the Manual does not and cannot address every situation that may arise. If you have any questions or concerns, please speak with your supervisor or the Director of Finance and Administration who should be able to answer most of your questions or direct you to someone who can. This Manual does not constitute a contract, express or implied, nor does it guarantee employment for any specific length of time.

The Human Resources Department (currently Taron Fraklin, Eva Kado-Binder, and Sunny Li) is responsible for developing and implementing personnel policies with the review of PAL's ad-hoc Personnel Committee. The ad-hoc Personnel Committee, chaired by the Treasurer may consist of Legal Counsel, PAL executive staff, and one or more members of the Executive Committee as may be necessary. The policies included in this Manual are guidelines only and are subject to change as the PAL Personnel Committee, in consultation with the Executive Director, deems appropriate and necessary. PAL, in its sole discretion, may modify, alter, delete, suspend, or discontinue any part or parts of the policies, including employee benefits, in this Manual at any time, with or without prior notice to its employees. Unless otherwise specified, any such change to the Manual shall apply to existing as well as future employees. From time to time you may receive notice of new or modified policies, procedures, benefits, or programs.

The information regarding employee benefits contained in this Manual is only a brief summary of the benefits PAL offers its employees. For a full explanation of particular benefits, all employees should consult, where applicable, the specific plan documents themselves. If the benefit summaries contained in this Manual conflict with any statement contained in the formal plan documents, those plan documents supersede anything contained in this Manual.

Employment with PAL is strictly on an "at will" basis. This means that all civilian employees are free to resign their employment from PAL at any time, for any reason, and that PAL reserves the right to terminate the employment of any civilian employee at any time, for any reason not prohibited by law, with or without prior notice. Nothing in this Manual is meant to create contractual or binding obligations on the part of PAL or to alter the "at will" nature of the employment. No employee, manager, or other agent of PAL, other than the Executive Director in consultation with and approval by the Board, has the authority to enter into any agreement contrary to the above, or to enter into any agreement with any employee for any specified period of time. Any amendment to the foregoing must be in writing and signed by the Executive Director, in consultation with and approval by the Board. A PAL civilian employee may not be hired, furloughed, laid off, terminated, promoted, or demoted or given a change in title without the recommendation of PAL's Executive Director following consultation with and approval by the Board, that being the current Treasurer of PAL.

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Printed Name of Employee

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Signature of Employee

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Date